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In re: Dan Kikinis
Case: P1544D1
Art Unit: 2142
Subject: Enhanced Integrated Data Delivery System

Application No.: 09/911,945
Examiner: Jason D. Cardone
Filing date: 07/23/2001

OFFICIAL

Certificate of Transmission under 37 CFR 1.8

Attention: Jason D. Cardone, Examiner

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on 07/02/2004

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Signature

Lynda Schwalenberg

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Total Sheets Transmitted - 10

1. Response to Notice of Non-Compliance - 1 sheet
2. Response B - 6 sheets
3. Copy of Notice of Non-Compliant Amendment - 2 sheets
4. Certificate of Transmission - 1 sheet

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit 2142

Examiner Jason D. Cardone

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In Re: Dan Kikinis
Case: P1544D1
Serial No.: 09/911,945
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Subject: Enhanced Integrated Data Delivery System

To the Commissioner of Patents and Trademarks
Washington, D.C. 20231

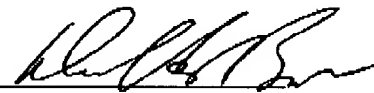
Dear Sir,

Response to Notice of Non Compliance

A Notice of Non-Compliance was mailed in the above-referenced case on 06/15/2004 regarding a response filed in the case on 04/29/2004. A corrected version of the response accompanies this letter with changes to comply with the applicable rules.

Respectfully submitted,
Dan Kikinis

by



Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
P.O. Box 187
Aromas, CA 95004
(831) 726-1457

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/011,945	07/23/2004	Don Kikinis	P1544D1	8414

2401 7501 06/15/2004

CENTRAL COAST PATENT AGENCY
PO BOX 187
AROMAS, CA 95004

EXAMINER

CARDONE, JASON D

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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PTO-900 (REV. 10-03)



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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 4/29/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(ii).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/ole/prenotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Susan Zard
Legal Instruments Examiner (LIE)

703/308-9045
Telephone No.